

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DESMOND J. DICKERSON,
Plaintiff,

No. C 08-03305 CW (PR)
ORDER OF DISMISSAL

v.

CITY OF OAKLAND, et al.,
Defendants.

On January 21, 2010, the Court issued an order of dismissal with leave to amend and gave Plaintiff thirty days from the date of the Order to file an amended complaint providing factual and legal bases for his claims. Failure to timely file an amended complaint would result in dismissal for failure to prosecute. The time for Plaintiff to file his amended complaint has passed, and no amended complaint has been filed.

Accordingly,

IT IS HEREBY ORDERED that the complaint in the above-captioned action is DISMISSED WITHOUT PREJUDICE for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

All pending motions are TERMINATED. The Clerk of the Court shall enter judgment in accordance with this Order and close the file. When and if Plaintiff is prepared to pursue his claims, he may file a new civil rights action.

IT IS SO ORDERED.

Dated: 3/26/2010



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 DESMOND J DICKERSON,

5 Plaintiff,

6 v.

7 CITY OF OAKLAND et al,

8 Defendant.
9 _____/

Case Number: CV08-03305 CW

CERTIFICATE OF SERVICE

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on March 26, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
13 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
14 receptacle located in the Clerk's office.

15 Desmond J. Dickerson
16 711 Cherry Way
17 Hayward, CA 94541

18 Dated: March 26, 2010

19 Richard W. Wieking, Clerk
20 By: Sheilah Cahill, Deputy Clerk
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